



Department of Justice

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NEW YORK ROOFING PRODUCTS REPRESENTATIVE PLEADS GUILTY TO BID RIGGING CHARGES

Case Marks the Third Guilty Plea in Government's Ongoing Investigation of the Roofing Industry in Albany

WASHINGTON, D.C. - A former representative of a New York roofing products manufacturer today pleaded guilty to rigging bids and allocating contracts for roofing products and services in the Albany, New York area, the Department of Justice announced.

Sean Moran, a resident of Delmar, New York, pleaded guilty today in the U.S. District Court in Albany to bid rigging and has agreed to cooperate with the government's ongoing investigation. His guilty plea is the third obtained in the government's investigation of the roofing industry in the Albany area.

According to today's charge, from sometime in 1996 until at least July 2001, Moran participated in an ongoing conspiracy to rig bids for, and allocate roofing contracts awarded by, the General Electric Company's Waterford, New York facility, the Albany Medical Center, and other purchasers of roofing products and services in the State of New York.

Moran and co-conspirators are charged with carrying out the conspiracy by:

- Discussing the submission of prospective bids on certain roofing contracts;
- Agreeing among themselves which company would be the low bidder; and
- Arranging for co-conspirators to submit bids that were intentionally higher.

Moran is charged with bid rigging, a violation of the Sherman Act, 15 U.S.C. § 1, which

carries a maximum penalty for individuals of three years of imprisonment and a \$350,000 fine for violations occurring before June 22, 2004. The maximum fine may be increased to twice the gain derived from the crime or twice the loss suffered by the victims of the crime, if either of those amounts is greater than the statutory maximum fine. In addition, the defendant could be ordered to pay restitution to any victim for the full amount of the victim's loss.

The prosecution of Moran is being handled by the Antitrust Division's New York Field Office, with the assistance of the Federal Bureau of Investigation.

In June 2004, Waterblock Roofing and Sheetmetal Inc. and its president, Walter J. Vivenzio, pleaded guilty to bid rigging and fraud charges. Both are awaiting sentencing.

Anyone with information concerning bid rigging or fraud in the roofing business should contact the New York Field Office of the Antitrust Division at (212) 264-0383 or the Albany Division of the FBI at (518) 456-7551.

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